

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

135

CWP-27844-2022

Date of decision: 05.12.2022

DAV PUBLIC SCHOOL, LUDHIANA

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Rajdeep Singh Cheema, Advocate
for the petitioner.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Articles 226 of the Constitution of India seeking issuance of directions in the nature of Mandamus directing the respondents to consider and decide the objections/suggestions dated 28.07.2022 (Annexure P-5) to pass an appropriate order thereupon.

It is not in dispute that the issue in question was earlier examined by a Division Bench of this Court in COCP No.6907 of 2009 and in CWP-4962 of 2013 titled "*Court on its own motion versus State of Punjab and others*". Various interim directions were issued in the above writ petition. During pendency of the above petition, the State of Punjab; Haryana & U.T. formulated Transport Policy to which objections were also filed by the DAV Management. The above writ petitions were disposed of vide order dated 20.01.2017.

The petitioner thereafter filed various objections/suggestions on 01.08.2018, however, no decision was taken thereupon.

Resultantly, the petitioner thereafter filed CWP-12279 of 2019 raising a challenge to certain clauses of transport scheme namely “Safe School Vahan Scheme” dated 07.11.2013 issued by the State of Punjab, Transport Department.

The said writ petition was withdrawn by the petitioner with liberty to raise all issues pertaining to the scheme in question before the Division Bench of this Court. A Civil Miscellaneous applications bearing No.3729-3731-CWP-2022 in CWP-4962-2013 was thereafter filed before the Division Bench which was also withdrawn to approach the authorities. The petitioner thereafter preferred representation Annexure P-5 on 28.07.2022 (wrongly mentioned as 23.05.2022) to the authorities. The present petition has been filed as no decision was taken on the same.

Learned counsel appearing on behalf of the petitioner contends that another writ petition No.27803 of 2022 titled “D.A.V. Public School, Sector 8-C, Chandigarh versus U.T. Administration, Chandigarh” for the same relief, in relation to the area of Union Territory of Chandigarh, had also been filed which has been withdrawn by the petitioner to avail the alternative remedy available to the petitioner in accordance with law.

Dismissed as withdrawn with liberty as aforesaid.

(VINOD S. BHARDWAJ)
JUDGE

DECEMBER 05, 2022

Vishal sharma

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No